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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/503,362	02/14/2000	Pekka J. Heinonen	4925-34	6491

7590 02/27/2006

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EXAMINER

SENF, BEHROOZ M

ART UNIT PAPER NUMBER

2613

DATE MAILED: 02/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/503,362	Applicant(s) HEINONEN, PEKKA J.	
	Examiner Behrooz Senfi	Art Unit 2613	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 January 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see remarks, filed 12/9/2005, with respect to the rejection(s) of claim(s) 1 - 19 under 35 U.S.C. 102(e) (dated 9/22/2005) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Dahm et al (US 6,301,471).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 – 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dahm et al. (US 6,301,471).

Regarding claim 1, Dahm '471 teaches, a system for processing of data to and from a mobile terminal (i.e. fig. 2b), a mobile terminal comprising a data bus for receiving and transmitting data to a wireless communication network (i.e. fig. 2b, mobile 250 includes data buses for bi-directional wireless communication), an output device for presenting at least one of audio, video and texture information to a user (i.e. fig. 2b, display 260), an interface module connected to the data bus of the mobile terminal (i.e. fig. 2b, interface 252 and 264), a protocol stack for processing data to and from the data

bus of the mobile terminal (i.e. fig. 2b, shows the protocol for processing data), the user agent for decoding data to and from the protocol stack (i.e. fig. 2b, client module 256 and 264), a signal generator for converting the decoded data from the user agent into signals formatted for processing by the output device so that the output device presents at least one of audio, video, and textual information to the user (i.e. fig. 2b, 256, 264, 260 and processor).

However, Dahm does not require the interface module to include a protocol stack, a user agent and signal generator as claimed. In contrast, these limitations are taught to be integral along with the interface module in the mobile device. Despite the difference, there is no distinct functional advantage of having these limitations configured within the interface module as claimed. The use of a one piece construction instead of separable, having the same result would be merely a matter of obvious engineering design choice, *In re Larson*, 144 USPQ 347 (CCPA 1965).

Regarding claims 2 and 10, Dahm patent teaches, a user input device, manipulable by the user, for inputting data to the user agent for transmission through the mobile terminal (fig. 2b, Keypad 262).

Regarding claims 3 and 11, Dahm patent teaches, wireless application/communication protocol (fig. 2b, clearly shows the mobile 250 communicates through a wireless protocol).

Regarding claims 4 and 12, Dahm patent teaches, short message transport protocol (i.e. col. 18, lines 36 – 37).

Regarding claims 5 and 13, Dahm patent teaches, wherein the user agent is a web-browser (fig. 2b, UDP, col. 5, lines 33 – 34).

Regarding claim 6, the limitations, browser is configured to interpret data in accordance with one of the wireless Application Protocol and the Short Message Transport Protocol, as claimed; are substantially similar in scope as recited in claims 3 and 4, therefore the grounds for rejecting claims 3 – 4, also apply here.

Regarding claims 7 and 9, Dahm patent teaches, the output device is a monitor (fig. 2b, display 260).

Regarding claims 8 and 15, Dahm patent teaches, processing data from a data bus of the mobile terminal (i.e. fig. 2b, device 250, including processor), and decoding the processed data using a user agent and outputting the decoded data (fig. 2b, encoder, decoder of mobile 250 and client module), and converting the decoded data from the user agent into signals for presentation by an output device (fig. 2b, module 256 and display 260), and presenting information based on the signals by the output device (fig. 2b, display 260).

Regarding claim 14, the limitations claimed are analyzed and covered with respect to claims 1 – 13.

Regarding claims 16 – 19, Dahm patent teaches, output device comprises a television monitor (display devices as shown in fig. 1, since a television monitor has the same functionality as to display the images).

Contact

4. Any inquiry concerning this communication or earlier communications

from the examiner should be directed to **Behrooz Senfi** whose telephone number is **(571) 272-7339**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Mehrdad Dastouri** can be reached on **(571) 272-7418**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:


(571) 273-8300

Hand-delivered responses should be brought to Randolph Building, 401 Dulany Street, Alexandria, Va. 22314.

Any inquiry of a general nature or relative to the status of the application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

B. M. S. 

2/21/2006


VU LE
PRIMARY EXAMINER